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PATENT  
Attorney Docket No.: 19396-000200  
Client Reference No.: D2472

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7.D  
11/06/02

On October 28, 2002

TOWNSEND and TOWNSEND and CREW LLP

By:

Sara B. McPeak

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Technology Center 2100

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Nathan F. Raciborski et al.

Application No.: 09/665,204

Filed: September 18, 2000

For: QOS BASED CONTENT  
DISTRIBUTION NETWORK

Examiner: Unassigned

Art Unit: 2152

FIFTH SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT UNDER 37  
CFR §1.97 and §1.98

Assistant Commissioner for Patents  
U. S. Patent and Trademark Office  
Washington, D.C. 20231

Sir:

The reference cited on attached form PTO-1449 is being called to the attention of the Examiner. A copy of the reference is enclosed. Also enclosed is a copy of the Search Report in the corresponding PCT application. It is respectfully requested that the cited reference be expressly considered during the prosecution of this application, and the reference be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and



no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

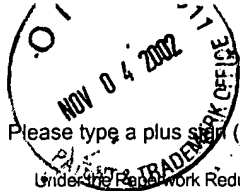
Applicant believes that no fee is required for submission of this statement, since it is being submitted prior to the first Office Action. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Douglas M. Hamilton  
Reg. No. 47,629

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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	<b>Application Number</b>	09/665,204	
	<b>Filing Date</b>	September 18, 2000	
	<b>First Named Inventor</b>	Raciborski, Nathan F. et al.	
	<b>Group Art Unit</b>	2152	
	<b>Examiner Name</b>	Unassigned	
<b>Total Number of Pages in This Submission</b>	1	<b>Attorney Docket Number</b>	19396-000200

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ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Second Preliminary Amendment  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input checked="" type="checkbox"/> Fifth Supplemental Information Disclosure Statement & 1449 PTO form  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application)  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Return Postcard 2. 1 Reference
<b>Remarks</b>		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.
No Fee Transmittal is attached hereto as this 5th Supplemental IDS is being filed prior to the issuance of the First Office Action.		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

<b>Firm and Individual name</b>	Townsend and Townsend and Crew LLP	
	Douglas M. Hamilton	Reg. No. 47,629
<b>Signature</b>		
<b>Date</b>	October 28, 2002	

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<b>Typed or printed name</b>	Sara B. McPeak	
<b>Signature</b>		<b>Date</b>
		October 28, 2002

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